

Chairman and members,  
Delta Protection Commission

PUBLIC COMMENTS

July 29, 1993

Sirs:

I am going to present two points and tie them together: 1) The Attorney General opinion about this Commission to which both Richard Gann and I submitted written input and 2) the oath of office you took to be on this Commission.

ATTORNEY GENERAL OPINION: The Attorney General opinion backs his client, the legislature. We note a classic set of purposes of evasion and mental reservations about the intent of the California Constitution. But then is not that a purpose of that office? We would only add that case law such as presented in the opinion 93-313 is a display of situational law.

Situational law is of course the legal profession's extension of situational values. Those of you with children know that it was the situational values taught in the public schools that made it so difficult for you to raise your offspring, those school teachings aimed to undermine your home authority.

The intent of the California Constitution is clear, is spelled out - NO CONSOLIDATION OF COUNTIES without voter approval. A County is its bounded land AND the jurisdictional elected governance. The legislature's authority does not supercede the California Constitution authority. The Act establishing this Commission, at the social level is routinely recognized as aimed at the control of private property land use, that the act was written to evade elected jurisdictional authority. The legislative findings forming the basis of this set of evasions and mental reservations are political science findings. Political science findings, compared to scientific science findings, by definition have an ulterior bias.

About the origins of the declared dangers to the "habitats", "endangered species", the sacredness of the "fishies and birdies", etc I refer you to "The Report from Iron Mountain", about 1965. That book, written by one who attended, describes the "think tank" basis of the decision of the elitists: Substitute "Wars for the Environment" for "Wars between Nations".

OATH of OFFICE: The oath of office you took is not the one specified in the Calif Constitution, Art XX, Sec 3. That is two paragraphs. I have a copy of that oath here. The one you took and signed was one paragraph. Example of "Situational law."

Between 1967 and 1981 three people protested the second paragraph of the oath for elected and employed personnel in the State of California. The Calif Constitution has not changed. One of the three individuals went to US Supreme Court which declined the case. It was a State Constitution matter.

Result: California Courts unilaterally decreed the second paragraph be stricken, the first one alone would do.

Again, those with mental reservations and those who exercise purposes of evasion about the California Constitution, will argue that swearing to and signing the first paragraph does establish the basic contract between the people from whom the governing powers are derived AND those who do the governing AND therefore the first paragraph, after all, is all it should take, so that's good enough. Again, Constitutional law or rule by men? THE QUESTION!

SUMMARY: I am not an expert on land use of private property. I do know something about incentives, motives and appetites of men.

I don't know much about farming. It's been a few years since my youth when our family proved up on our homestead.

One man's ugly is another's beauty. One man's garbage is another's gold.

I do know the appetite to enforce one's own opinions and prejudices onto other is as old as the ages. Respect for the other man and his property is especially hard to hold onto when you have some power over them.

POWER AND CONTROL over others is one of the most addictive of all drugs. It is at least as addictive as heroin. "Power corrupts. Absolute power corrupts absolutely." The players in the Addict Game as one of the Games People Play are 1) The Addict, 2) The Connection (Supplier), 3) The Fuzz (Controller) and 4) The Friend. The intricacies of the moves in the POWER Addict game are as complex as any Addict game. Subterfuges, betrayals, duplicity, "talking out of both sides of the mouth", etc. The Savings and Loan scandals are more understandable as variants of the Addict Game. Keep this in mind when you think "You gotta go along to get along!"

What does this have to do with the Delta Protection Commission? Some of you on this commission may remember these words as events unfold and befall you individually down the line.

Signed,

F H Ernst Jr